

7/5/94 VACATION OF ALLEY
BLOCK 1, STEVEN'S 1ST ADDITION
TO MINNEAPOLIS

Smead

No. 103L

HASTINGS, MINN. - LOGAN, OHIO, U.S.A

Published
6/15 + 6/22
Posted 6/20
Mailed 6/14



6345241

City of Edina

**NOTICE OF COMPLETION OF PROCEEDINGS
ON ALLEY VACATION
IN THE CITY OF EDINA, HENNEPIN COUNTY, MINNESOTA**

NOTICE IS HEREBY GIVEN that the City Council of Edina, Hennepin County, Minnesota, on July 5, 1994, adopted a Resolution Vacating Alley in Block 1, Steven's Addition to Minneapolis after public hearing and notice thereof as required by law and after determining it to be in the best interest of the City and of the public that said alley vacation be made, which resolution ordered the vacation of the following described alley all as platted and of record in the office of the County Recorder in and for Hennepin County, Minnesota:

That part of the north half of the Alley dedicated in Block 1, STEVEN'S 1ST ADDITION TO MINNEAPOLIS, according to the recorded plat thereof, Hennepin County, Minnesota, lying easterly of the southerly extension of the west line of the east 20.00 feet of Lot 2, said Block 1 and lying westerly of the southerly extension of the west line of the east 5.00 feet of Lot 1, said Block 1, and

That part of the south half of said Alley in Block 1 lying easterly of the northerly extension of the west line of the east half of the vacated alley in said Block 1 and lying westerly of the northerly extension of the west line of the east 5.00 feet of Lot 7, said Block 1.

The time of completion of proceedings and the effective date of said vacation is September 20, 1994.

BY ORDER OF THE CITY COUNCIL,
CITY OF EDINA

Marcella M. Daehn

Marcella M. Daehn
City Clerk



90

6345241

28SEP94 10:23 B6345241 SCD \$4.50
28SEP94 10:23 B6345241 DDC \$16.00

OFFICE OF COUNTY RECORDER
HENNEPIN COUNTY, MINNESOTA

CERTIFIED FILED AND OR
RECORDED ON

1994 SEP 28 AM 10:21

AS DOCUMENT # **6345241**

R. Brown CO. RECORDER

BY *[Signature]* DEPUTY

REC FEE 15-
COPY FEE 1-

B4 348

85
85

Return to: *[Signature]*
B4 348



City of Edina

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BY ORDER OF THE CITY COUNCIL,
CITY OF EDINA

Marcella M. Daehn
City Clerk

OFFICE OF COUNTY RECORDER
HENRY COUNTY, MINNESOTA

CERTIFIED FILED AND/OR
RECORDED ON

1994 SEP 28 AM 10:21

AS DOCUMENT # **6345241**
R. Dean Carlson CO. RECORDER

BY *Dean* DEPUTY

Duplicate

Certificate

Doc 348

*Returned to: Mr. ST. Allen
Deputy, Henry County
Box 348*



City of Edina

September 22, 1994

Jerome P. Gilligan
Dorsey & Whitney
220 South Sixth Street
Minneapolis MN 55402-1498

Re: Vacation of Alley
Block 1, STEVENS'S ADDITION TO MINNEAPOLIS
(Haymaker Development)

Dear Jerry:

Enclosed are two copies of Notice of Completion of Proceedings for the above referenced alley vacation. You will recall that this vacation was requested in connection with Mark Haymaker's development at West 50th Street and Halifax Avenue (Henley Addition).

Please have the Notice of Completion entered in the transfer record of the County Auditor and filed with the County Recorder and then return the recorded document to me. This recording should be done as soon as possible so that the plat can be placed of record.

Sincerely yours,

Marcella M. Daehn
City Clerk

cc: Craig Larsen, Planner



City of Edina

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BY ORDER OF THE CITY COUNCIL,
CITY OF EDINA



Marcella M. Daehn
City Clerk

Please Note: Concerning the attached Notice of Completion of Proceedings on Alley Vacation, the Henley Addition plat illustrates a 10 foot utility easement.

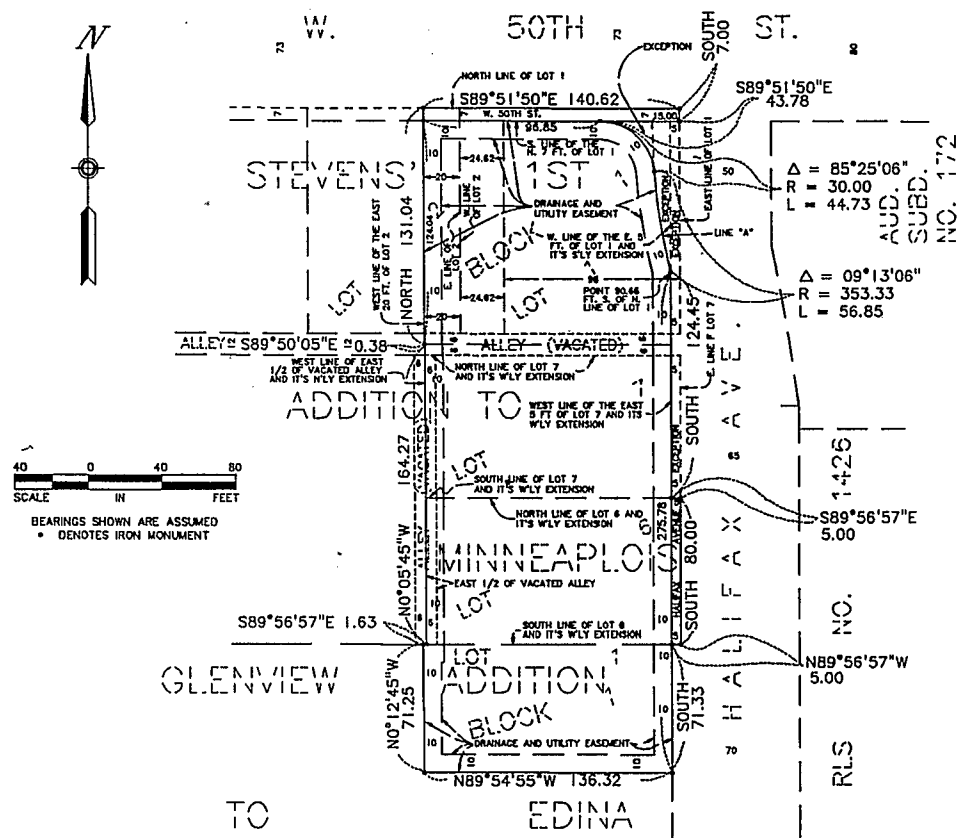
HENLEY ADDITION

C.R. DOC. NO.

LUND KRUSE ADDITION

HALIFAX AVE.

AUD.
SUBD.
NO. 172



KNOW ALL MEN BY THESE PRESENTS: That HENLEY DEVELOPMENT CORPORATION, a Minnesota Corporation, owner and proprietor of the following described property situated in the County of Hennepin, State of Minnesota, to wit:

The West 24.62 feet of Lot 1 and the East 20 feet of Lot 2, Block 1, STEVENSON 1ST ADDITION TO MINNEAPOLIS, according to the recorded plat thereof;

And

Lot 6, Block 1, STEVENSON 1ST ADDITION TO MINNEAPOLIS, together with East 1/2 of the vacated alley adjacent thereto lying between the extension Westerly of the North and South lines of said Lot 7, according to the recorded plat thereof;

And

Lot 7, Block 1, STEVENSON 1ST ADDITION TO MINNEAPOLIS, except the East 5 feet thereof, together with the East 1/2 of the vacated alley adjacent thereto lying between the extension Westerly of the North and South lines of said Lot 7, according to the recorded plat thereof;

And

The East 95 feet of Lot 1, Block 1, STEVENSON 1ST ADDITION TO MINNEAPOLIS, excepting therefrom the Easterly 5 feet thereof conveyed to the Village of Edina for Highway purposes by Deed dated May 29, 1922, and recorded in Book 956 of Deeds on page 334.

Also excepting therefrom that part of Lot 1, Block 1, STEVENSON 1ST ADDITION TO MINNEAPOLIS lying South of the North 7 feet of said Lot 1, West of the East 5 feet of said Lot 1, Easterly of a curved line concave to the East line, radius 353.33 feet drawn from a point in the South line of the North 7 feet of said Lot 1, distance 15 feet West of the East line of said Lot 1 to point in West line of East 5 feet of said Lot 1, distance 90.66 feet South of the North line of said Lot 1.

Also excepting therefrom that part of Lot 1, Block 1, STEVENSON 1ST ADDITION TO MINNEAPOLIS, lying South of the North 7 feet of said Lot 1, Westerly of the following described line:

A curved line which is concave to the East and has a radius of 353.33 feet and is drawn from a point in the South line of the North 7 feet of said Lot 1, distant 15 feet West of the East line of said Lot 1 to a point in the West line of the East 5 feet of said Lot 1, distant 90.66 feet South of the North line of said Lot 1 (Line "A"); and

Northeasterly of a curved line, concave to the Southwest, having a radius of 30.00 feet, and which is tangential with the South line of the North 7 feet of said Lot 1 and with said Line "A";

And

That part of the North half of the Alley dedicated in Block 1, STEVENSON 1ST ADDITION TO MINNEAPOLIS, according to the recorded plat thereof, Hennepin County, Minnesota, lying Easterly of the Southerly extension of the West line of the East 20.00 feet of Lot 2, Block 1 and lying Westerly of the Southerly extension of the West line of the East 5.00 feet of Lot 1, said Block 1.

And

That part of the South half of said Alley in Block 1 lying Easterly of the Northerly extension of the West line of the East half of the vacated alley in said Block 1 and lying Westerly of the Northerly extension of the West line of the East 5.00 feet of Lot 7, Block 1.

And

Lot 1, Block 1, GLENNVIEW ADDITION TO EDINA, according to the recorded plat thereof.

Has caused the same to be surveyed and platted as HENLEY ADDITION and does hereby devote and dedicate to the public for public use forever the street, avenue and the easements for drainage and utility purposes as shown on the said plat.

In witness whereof said HENLEY DEVELOPMENT CORPORATION, a Minnesota Corporation, has caused these presents to be signed by its proper officer this _____ day of _____, 199__.

HENLEY DEVELOPMENT CORPORATION

SIGNED: _____ Its _____

STATE OF MINNESOTA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 199__ by _____ its _____ and _____ of said HAYMAKER CONSTRUCTION, a Minnesota corporation, on behalf of said corporation.

Notary Public, _____ County, Minnesota
My Commission Expires _____

I hereby certify that I have surveyed and platted the property described on this plat as HENLEY ADDITION; that this plat is a correct representation of said survey, that all distances are correctly shown in feet and hundredths of a foot; that all monuments have been correctly placed in the ground as shown, on said plat or will be placed as required by the local governmental unit as designated on said plat, that the outside boundary lines are correctly designated, and that there are no wetlands as defined in Minnesota Statutes, Section 505.02, Subdivision 1 to be designated on said plat.

Edward H. Sundt, Land Surveyor
Minnesota License No. 8812

STATE OF MINNESOTA
COUNTY OF _____

The foregoing surveyor's certificate was acknowledged before me this _____ day of _____, 199__ by Edward H. Sundt, Land Surveyor.

Notary Public, Hennepin County, Minnesota
My commission Expires _____

EDINA, MINNESOTA

This plat of HENLEY ADDITION was approved and accepted by the City Council of the City of Edina, Minnesota, at a regular meeting thereof, held this _____ day of _____, 199__. If applicable, the written comments and recommendations of the Commissioner of Transportation and the County Highway Engineer have been received by the City or the prescribed 30 day period has elapsed without receipt of such comments and recommendations, as provided by Minnesota Statutes, Section 505.03, Subd. 2.

CITY COUNCIL OF EDINA, MINNESOTA

BY: _____ Mayor

BY: _____ Manager

TAXPAYER SERVICES DIVISION, Hennepin County, Minnesota

I hereby certify that taxes payable in 199__ and prior years have been paid for land described on this plat. Dated this _____ day of _____, 199__.

Patrick H. O'Connor, Hennepin County Auditor

BY: _____

SURVEY SECTION, Hennepin County, Minnesota

Pursuant to MINNESOTA STATUTES, Sec. 383B.565 (1989), this plat has been

Gary F. Caswell, Hennepin County Surveyor

BY: _____

COUNTY RECORDER, Hennepin County, Minnesota

I hereby certify that the within plat of HENLEY ADDITION was filed for record 199__ at _____ o'clock _____ M.

R. Dan Carlson, County Recorder

BY: _____

*This notice
attached to
Alley Completion
Notice for:
NSP, US West and
Paragon Cable*

Sundt Land Surveying Inc.

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BY ORDER OF THE CITY COUNCIL,
CITY OF EDINA

Marcella M. Daehn
City Clerk



AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)

ss.

COUNTY OF HENNEPIN)

Donald W. Thurlow, being duly sworn on an oath says that he/she is the publisher or authorized agent and employee of the publisher of the newspaper known as Edina Sun-Current, and has full knowledge of the facts which are stated below.

(A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper, as provided by Minnesota Statute 331A.02, 331A.07, and other applicable laws, as amended.

(B) The printed Notice of Public Hearing

which is attached was cut from the columns of said newspaper, and was printed and published once each week, for two successive weeks; it was first published on Wednesday, the 15 day of June, 19 94, and was thereafter printed and published on every Wednesday to and including Wednesday, the 22 day of June, 19 94; and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

BY: *DW Thurlow*

TITLE: Publisher

Acknowledged before me on this

22 day of June, 19 94

Meridel M. Hedblom



RATE INFORMATION

(1) Lowest classified rate paid by commercial users for comparable space	\$ <u>1.60</u> per line (Line, word, or inch rate)
(2) Maximum rate allowed by law for the above matter	\$ <u>96.8*</u> per line (Line, word, or inch rate)
(3) Rate actually charged for the above matter	\$ <u>79*</u> per line (Line, word, or inch rate)

City of Edina

(Official Publication)

CITY OF EDINA
4801 WEST 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING
ON VACATION OF ALLEY
IN THE CITY OF EDINA

HENNEPIN COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 West 50th Street on July 5, 1994, at 7:00 P.M. for the purpose of holding a public hearing on the proposed vacation of the following alley:

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All persons who desire to be heard with respect to the question of whether or not the above proposed alley vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed alley vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, telephone, or cable poles and lines, gas and sewer lines, or water pipes, mains and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL.
MARCELLA M. DAEHN, City Clerk
(June 15 & 22, 1994)-ED

(Official Publication)

**CITY OF EDINA
4801 WEST 50TH STREET
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BY ORDER OF THE EDINA CITY COUNCIL

Marcella M. Daehn, City Clerk

Publish in the Edina Sun-Current on June 15 and 22, 1994.
Send two Affidavits of Publication.



REPORT/RECOMMENDATION

TO:	Mayor & City Council	Agenda Item #	<u>IV.A.</u>
FROM:	Francis Hoffman City Engineer <i>FH</i>	<input type="checkbox"/>	Consent
		Information Only	<input type="checkbox"/>
		Mgr. Recommends	<input type="checkbox"/>
DATE:	5 July, 1994	<input checked="" type="checkbox"/>	To Council
SUBJECT:	Vacation of Alley Hearing - Block 1, Steven's 1st Addition to Minneapolis	Action	<input type="checkbox"/>
		<input checked="" type="checkbox"/>	Resolution
		<input type="checkbox"/>	Ordinance
		<input type="checkbox"/>	Discussion

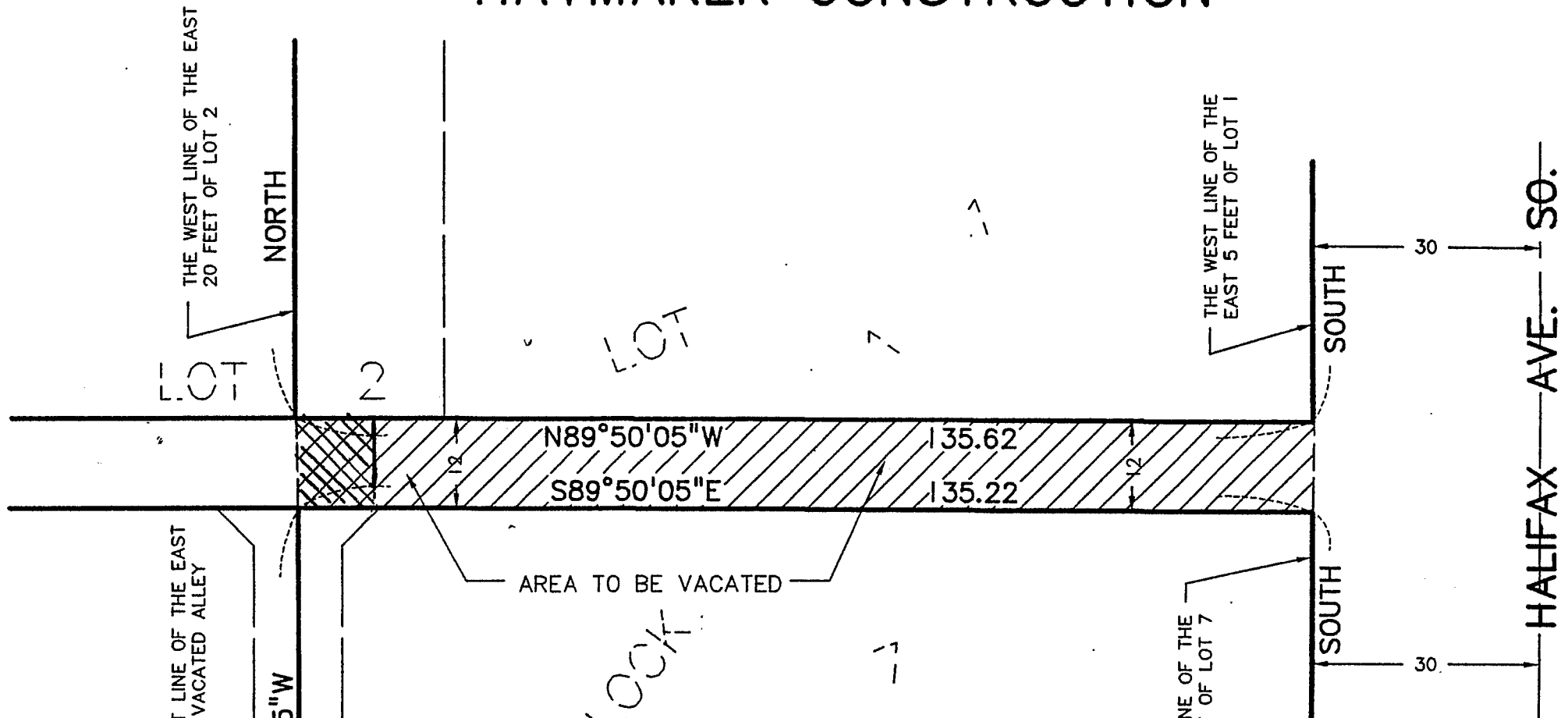
Recommendation:

Vacate public alley easement but retain a utility easement over the westerly ten feet of the alley.

Info/Background:

Haymaker Construction Inc., is proposing a new multi-family building at the corner of W. 50th Street and Halifax Avenue. A public alley transverses thru the site (east-west). The developer has requested that the alley be vacated. The utility companies and City staff have reviewed the request. The staff recommendation is to vacate the public alley but retain a ten foot wide utility easement over the westerly ten feet of the alley for NSP, US West and Paragon Cable.

ROADWAY VACATION SKETCH FOR: HAYMAKER CONSTRUCTION



We hereby certify that this sketch, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

Dated this 9TH day of JUNE, 1994

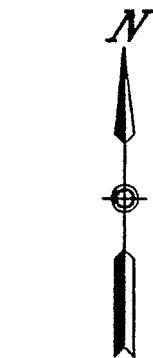
SUNDE LAND SURVEYING, INC.

By: Edward H. Sunde
Edward H. Sunde, R.L.S. Minn. Reg. No. 8612

KEY	
Retained for Utility Easement	
Vacate Public Alley	

Sunde Land Surveying Inc.

9001 E. Bloomington Freeway (35W)
Bloomington, MN 55420
(612) 821-2444



SCALE 1"=100'



FIELD	CHECKED
DATE	DATE
BY	BY

L6-68 (OH)

MINNEAPOLIS DIVISION L56-68(OH)

DATE ISSUED

LOCATION NUMBER 39242



AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)

ss.

COUNTY OF HENNEPIN)

Donald W. Thurlow, being duly sworn on an oath says that he/she is the publisher or authorized agent and employee of the publisher of the newspaper known as Edina Sun-Current, and has full knowledge of the facts which are stated below.

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(B) The printed Notice of Public Hearing which is attached was cut from the columns of said newspaper, and was printed and published once each week, for two successive weeks; it was first published on Wednesday, the 15 day of June, 19 94, and was thereafter printed and published on every Wednesday to and including Wednesday, the 22 day of June, 19 94; and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

BY: *DW Thurlow*
TITLE: Publisher

Acknowledged before me on this

22 day of June, 19 94.

Meridel M. Hedblom
Notary Public, MERIDEL M. HEDBLOM
NOTARY PUBLIC - MINNESOTA
HENNEPIN COUNTY
My Commission Expires July 16, 1998

RATE INFORMATION

- (1) Lowest classified rate paid by commercial users for comparable space
- (2) Maximum rate allowed by law for the above matter
- (3) Rate actually charged for the above matter

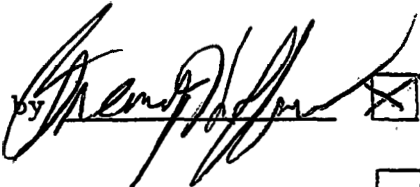
\$ 1.60 per line
(Line, word, or inch rate)
\$ 96.8* per line
(Line, word, or inch rate)
\$ 79* per line
(Line, word, or inch rate)

City of Edina

(Official Publication)
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BY ORDER OF THE EDINA CITY COUNCIL.
MARCELLA M. DAEHN, City Clerk
(June 15 & 22, 1994)-ED

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by		<input checked="" type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
MINNEGASCO by	_____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
NSP by	_____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
PARAGON CABLE by	_____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
U.S. WEST by	_____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional

CONDITIONS: _____

LOCATION: Alley located in Block 1, STEVEN'S 1ST ADDITION TO MINNEAPOLIS
(Generally located south of W. 50th Street and west of
Halifax Avenue)

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

Return to: City Clerk
City of Edina
4801 W. 50th Street
Edina, MN 55424



City of Edina

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and

That part of the south half of said Alley in Block 1 lying easterly of the northerly extension of the west line of the east half of the vacated alley in said Block 1 and lying westerly of the northerly extension of the west line of the east 5.00 feet of Lot 7, said Block 1.

All persons who desire to be heard with respect to the question of whether or not the above proposed alley vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed alley vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, telephone, or cable poles and lines, gas and sewer lines, or water pipes, mains and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL

Marcella M. Daehn, City Clerk

June 15, 1994

CITY OF EDINA
4901 W. 50TH STREET
EDINA, MINNESOTA 55424

PUBLIC RIGHT OF WAY VACATION APPLICATION

Date Initiated 5-3-94

I hereby petition the City Council of the City of Edina to vacate all of the following described public right of way:

____ Street ☒ Alley ____ Utility Easement
____ Drainage Easement ____ Other _____
(describe)

Does the area proposed to be vacated or any part thereof terminate at or abut upon any public water? NO

Legal description of area proposed to be vacated:

See attachment

Attached copy of scaled drawing showing in full detail the proposed vacation area.

Applicant HAYMAKERS CONST. INC.
MARK H. HAYMAKER
(print name)
Signature Mark H. Haymaker
Address 2201 W. RIVER RD N.
MPLS. MN 55411
Telephone (612) 522-2200

Fee: \$100.00

3800
M.S. 412.851

PROPOSED ALLEY VACATION

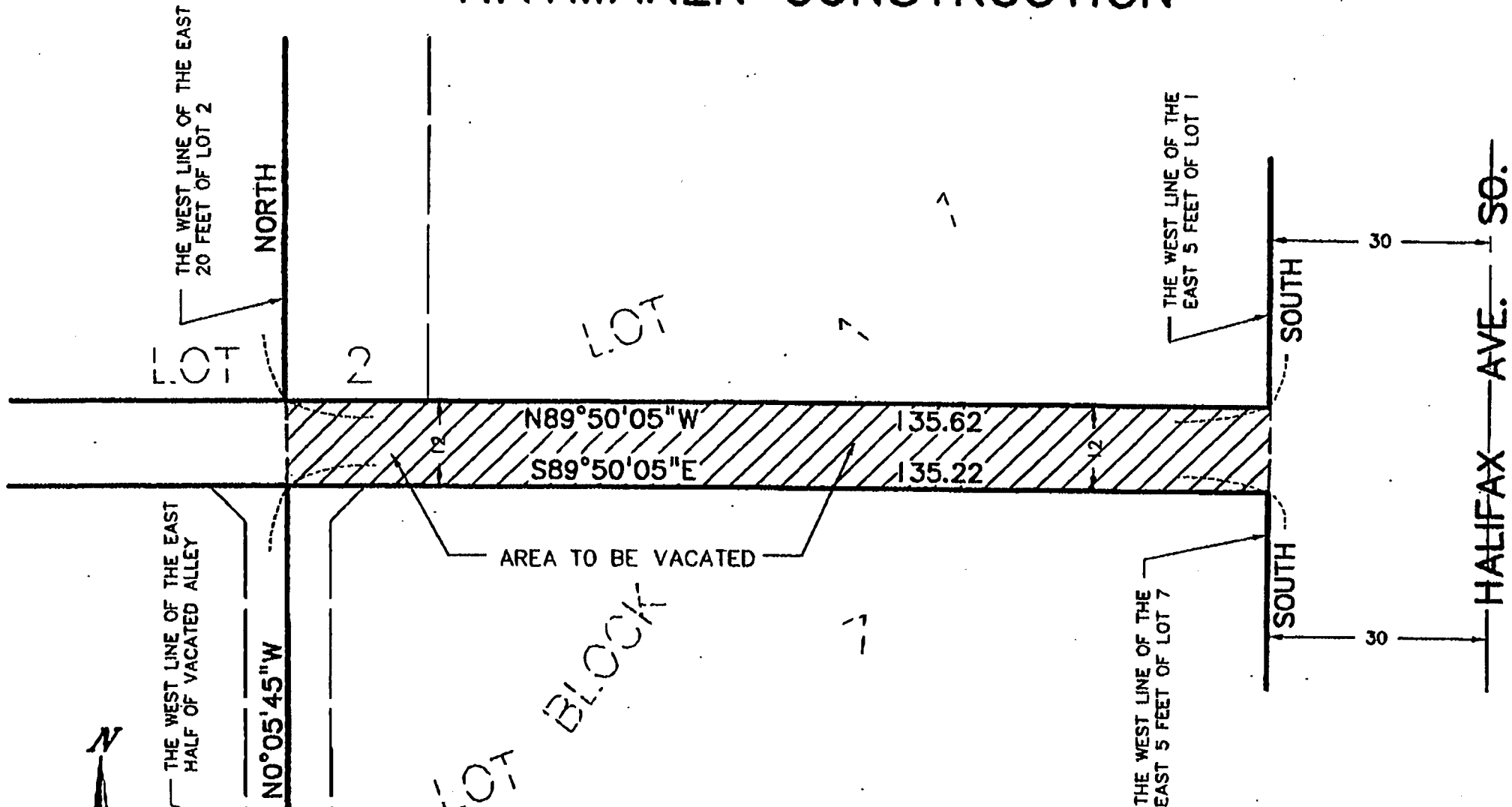
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And

That part of the south half of said Alley in Block 1 lying easterly of the northerly extension of the west line of the east half of the vacated alley in said Block 1 and lying westerly of the northerly extension of the west line of the east 5.00 feet of Lot 7, said Block 1.

Post-It Fax Note	7671	Date	6-3-94	Page	1
To	Mark Haymaker	From	Scott Soukup		
Co./Dept.	Haymaker Const.	Co.	Sunde Land Surveying		
Phone #	522-2200	Phone #	881-2455		
Fax #	522-2728	Fax #	888-9526		

ROADWAY VACATION SKETCH FOR: HAYMAKER CONSTRUCTION



We hereby certify that this sketch, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

Dated this 9TH day of JUNE, 1994

SUNDE LAND SURVEYING, INC.

By: Edward H. Sunde
Edward H. Sunde, R.L.S. Minn. Reg. No. 8612

Sunde Land Surveying Inc.

9001 E. Bloomington Freeway (30W)
Bloomington, MN 55420



CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

STREET AND/OR EASEMENT VACATION REVIEW

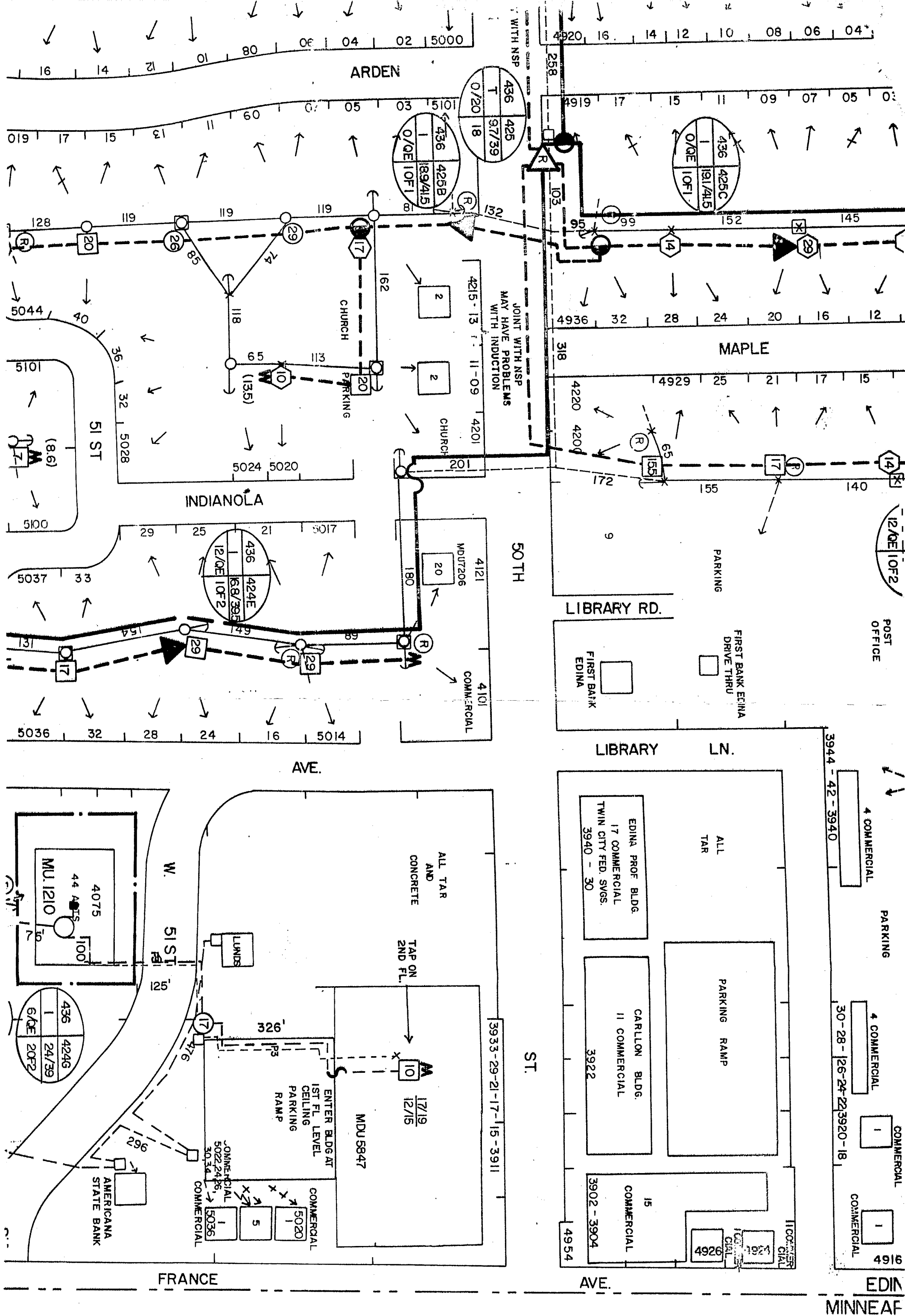
CITY ENGINEER by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
MINNEGASCO by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
NSP by <u>J. E. Fraser</u>	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input checked="" type="checkbox"/>	Conditional
PARAGON CABLE by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
U.S. WEST by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional

CONDITIONS: Subject to a 10 foot easement being
granted to protect OH facilities

LOCATION: Alley located in Block 1, STEVEN'S 1ST ADDITION TO MINNEAPOLIS
(Generally located south of W. 50th Street and west of
Halifax Avenue)

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

Return to: City Clerk
City of Edina
4801 W. 50th Street
Edina, MN 55424





City of Edina

**CITY OF EDINA
4801 WEST 50TH STREET
EDINA, MINNESOTA 55424**

**NOTICE OF PUBLIC HEARING
ON VACATION OF ALLEY
IN THE CITY OF EDINA
HENNEPIN COUNTY, MINNESOTA**

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and

That part of the south half of said Alley in Block 1 lying easterly of the northerly extension of the west line of the east half of the vacated alley in said Block 1 and lying westerly of the northerly extension of the west line of the east 5.00 feet of Lot 7, said Block 1.

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BY ORDER OF THE EDINA CITY COUNCIL

Marcella M. Daehn, City Clerk

June 15, 1994

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

PUBLIC RIGHT OF WAY VACATION APPLICATION

Date Initiated 5-3-94

I hereby petition the City Council of the City of Edina to vacate all of the following described public right of way:

____ Street X Alley ____ Utility Easement
____ Drainage Easement ____ Other _____
(describe)

Does the area proposed to be vacated or any part thereof terminate at or abut upon any public water? NO

Legal description of area proposed to be vacated:

See - attachment

Attached copy of scaled drawing showing in full detail the proposed vacation area.

Applicant HAYMAKIER CONST, INC.
MARK H. HAYMAKER
(print name)
Signature Mark H. Haymaker
Address 2201 W. RIVER RD N,
MPLS. MN 55411
Telephone (612) 522-2200

Fee: \$100.00

3800
M.S. 412.851

PROPOSED ALLEY VACATION

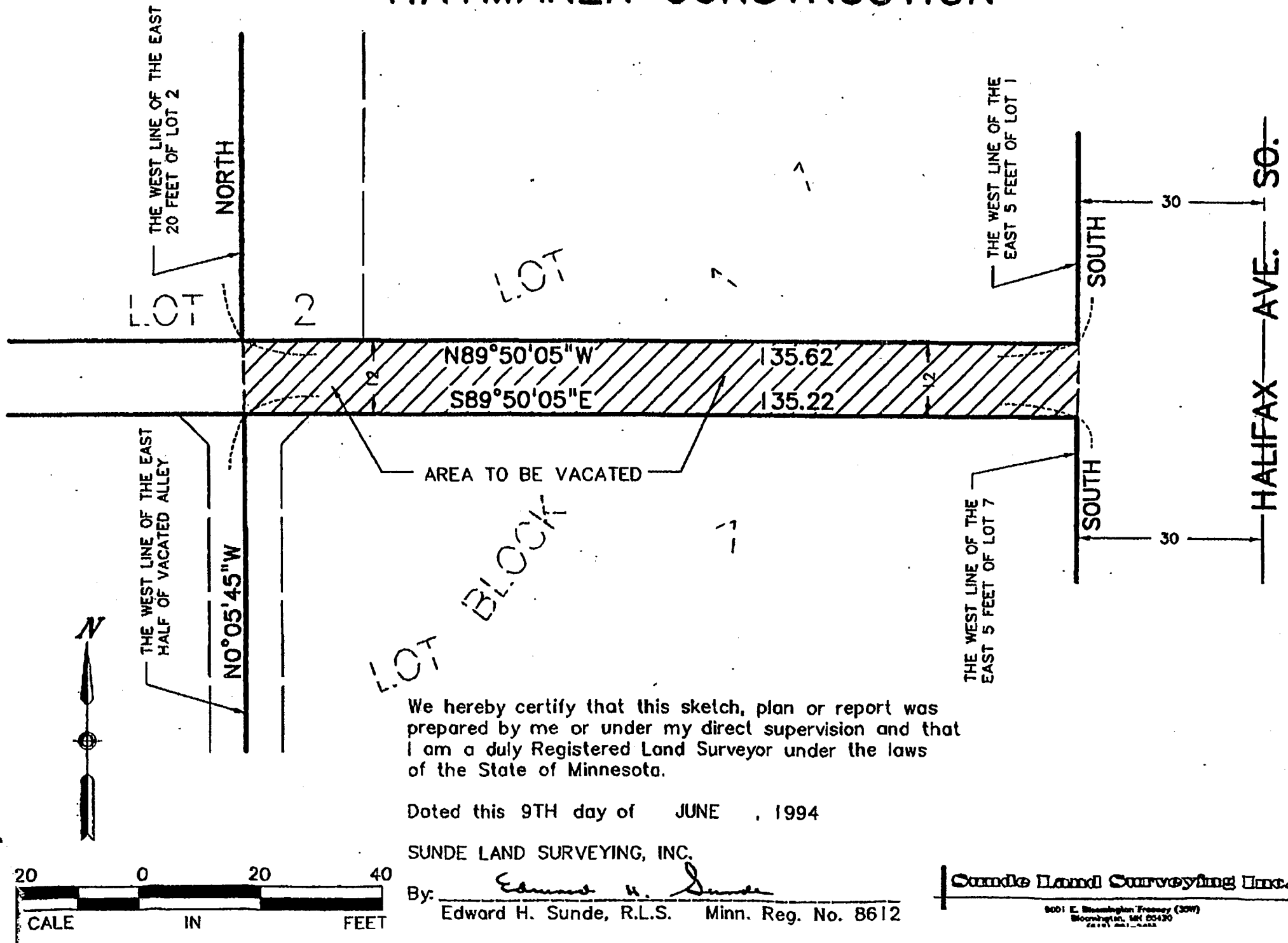
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Post-It Fax Note	7671	Date	6-3-94	# of pages	1
To	Mark Haymaker.	From	Scott Soukup		
Co./Dept.	Haymaker Const.	Co.	Sunde Land Survey		
Phone #	522-2200	Phone #	881-2455		
Fax #	522-2728	Fax #	888-9526		

ROADWAY VACATION SKETCH FOR: HAYMAKER CONSTRUCTION



JUN 09 '94 10:32 5001 E BLOOMINGTON 612 888 5926

P.2

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

MINNEGASCO by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

NSP by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

PARAGON CABLE by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

U.S. WEST by Cary Schmidt ☐ Acceptable ☐ Opposed ☒ Conditional

CONDITIONS:

USwest Comm has a utility pole in
this area which we ~~are~~ must maintain
see attached sketch

LOCATION:

Alley located in Block 1, STEVEN'S 1ST ADDITION TO MINNEAPOLIS

(Generally located south of W. 50th Street and west of
Halifax Avenue)

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

Return to: City Clerk
City of Edina
4801 W. 50th Street
Edina, MN 55424



City of Edina

**CITY OF EDINA
4801 WEST 50TH STREET
EDINA, MINNESOTA 55424**

**NOTICE OF PUBLIC HEARING
ON VACATION OF ALLEY
IN THE CITY OF EDINA
HENNEPIN COUNTY, MINNESOTA**

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 West 50th Street on July 5, 1994, at 7:00 P.M. for the purpose of holding a public hearing on the proposed vacation of the following alley:

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and

That part of the south half of said Alley in Block 1 lying easterly of the northerly extension of the west line of the east half of the vacated alley in said Block 1 and lying westerly of the northerly extension of the west line of the east 5.00 feet of Lot 7, said Block 1.

All persons who desire to be heard with respect to the question of whether or not the above proposed alley vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed alley vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, telephone, or cable poles and lines, gas and sewer lines, or water pipes, mains and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL

Marcella M. Daehn, City Clerk

June 15, 1994

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

PUBLIC RIGHT OF WAY VACATION APPLICATION

Date Initiated 2-3-94

I hereby petition the City Council of the City of Edina to vacate all of the following described public right of way:

 Street ☒ Alley Utility Easement
 Drainage Easement Other
(describe)

Does the area proposed to be vacated or any part thereof terminate at or abut upon any public water? NO

Legal description of area proposed to be vacated:

See - attachment

Attached copy of scaled drawing showing in full detail the proposed vacation area.

Applicant HAYMAKER CONST. INC.
MARK H. HAYMAKER
(print name)
Signature Mark H. Haymaker
Address 2201 W. RIVER RD N.
MPLS. MN 55411
Telephone (612) 522-2200

Fee: \$100.00

3800
M.S. 412.851

PROPOSED ALLEY VACATION

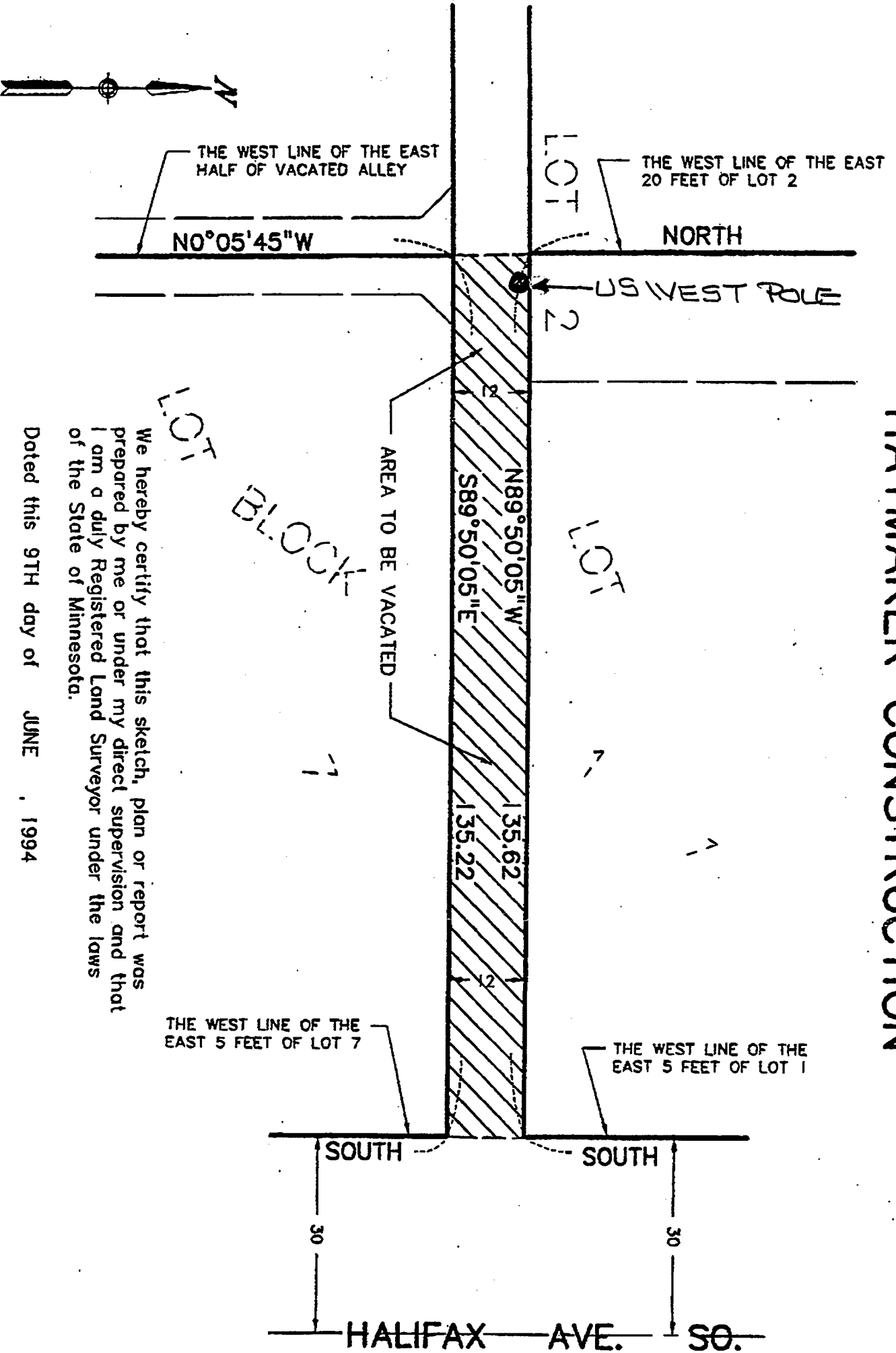
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And

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Post-Net Fax Note	7671	Date	6-3-94	Page	1
To	Mark Haymaker.	From	Scott Saukys		
Co. Dept.	Haymaker Const.	Co.	Sunde Land Survey		
Phone #	522-2200	Phone #	881-2455		
Fax #	522-2728	Fax #	888-9526		

ROADWAY VACATION SKETCH FOR: HAYMAKER CONSTRUCTION



CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
MINNEGASCO by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
NSP by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
PARAGON CABLE by <u>Mark Hansen</u>	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input checked="" type="checkbox"/>	Conditional
U.S. WEST by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional

CONDITIONS: We would be opposed to this vacation if we are required to relocate our facilities, unless costs incurred for such relocation would be reimbursed to us.

LOCATION: Alley located in Block 1, STEVEN'S 1ST ADDITION TO MINNEAPOLIS
(Generally located south of W. 50th Street and west of
Halifax Avenue)

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

Return to: City Clerk
City of Edina
4801 W. 50th Street
Edina, MN 55424

**CITY OF EDINA
4801 WEST 50TH STREET
EDINA, MINNESOTA 55424**

**NOTICE OF PUBLIC HEARING
ON VACATION OF ALLEY
IN THE CITY OF EDINA
HENNEPIN COUNTY, MINNESOTA**

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 West 50th Street on July 5, 1994, at 7:00 P.M. for the purpose of holding a public hearing on the proposed vacation of the following alley:

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and

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All persons who desire to be heard with respect to the question of whether or not the above proposed alley vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed alley vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, telephone, or cable poles and lines, gas and sewer lines, or water pipes, mains and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL

Marcella M. Daehn, City Clerk

June 15, 1994

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS
CITY OF EDINA)

AFFIDAVIT OF POSTING NOTICE OF HEARING ON
VACATION OF ALLEY - STEVENS 1ST ADDITION
TO MINNEAPOLIS

The undersigned, being first duly sworn, upon oath deposes and says that he/she is a duly appointed and acting Police Officer for the City of Edina, Hennepin County, Minnesota, and that on June 20, 1994 he/she posted the Notice of Hearing on the vacation described above to be held on July 5, 1994, a true and correct copy of which is attached hereto, at each of the official City bulletin boards located at conspicuous places within the City as follows:

- 1) City Hall, 4801 West 50th Street
- 2) Municipal Liquor Store, 50th and France Business Area
- 3) Centennial Lakes Park Centrum, 7499 France Avenue South

Dated June 20 1994

Signed Dean A. Milnes.

Signed and sworn to before me, a Notary Public
in and for Hennepin County, Minnesota, this
20th day of June, 1994.

Maurella M. Dachs



City of Edina

**CITY OF EDINA
4801 WEST 50TH STREET
EDINA, MINNESOTA 55424**

**NOTICE OF PUBLIC HEARING
ON VACATION OF ALLEY
IN THE CITY OF EDINA
HENNEPIN COUNTY, MINNESOTA**

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BY ORDER OF THE EDINA CITY COUNCIL

Marcella M. Daehn, City Clerk

June 15, 1994

1/1/74

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS
CITY OF EDINA)

CERTIFICATE OF MAILING NOTICE

I, the undersigned, being the duly qualified acting City Clerk of the City of Edina, Minnesota, hereby certify that on the following date June 14,, 19 94, acting on behalf of said City I deposited in the United States mail copies of the attached NOTICE OF PUBLIC HEARING ON VACATION OF ALLEY - STEVEN'S 1ST ADDITION TO MPLS (Exhibit A), enclosed in sealed envelopes, with postage thereon duly prepaid, addressed to the persons at the addresses as shown on the mailing list (Exhibit B) attached to the original hereof, which list is on file in my office, said persons being those appearing on the records of the County Auditor as owners of the property listed opposite their respective names, as of a date at least 10 days prior to the date of the hearing; and that I also sent said notice to the following corporations at the indicated addresses whose property is exempt from taxation and is therefore not carried on the records of said County Auditor.

<u>Name</u>	<u>Address</u>
_____	_____
_____	_____
_____	_____
_____	_____

WITNESS my hand and seal of said City this 14th day of June, 19 94.

Maudie M. Dehn
Edina City Clerk

**CITY OF EDINA
4801 WEST 50TH STREET
EDINA, MINNESOTA 55424**

**NOTICE OF PUBLIC HEARING
ON VACATION OF ALLEY
IN THE CITY OF EDINA
HENNEPIN COUNTY, MINNESOTA**

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BY ORDER OF THE EDINA CITY COUNCIL

Marcella M. Daehn, City Clerk

June 15, 1994

MAILING LIST FOR VACATION OF ALLEY IN STEVENS 1ST ADDITION TO
MINNEAPOLIS:

18-028-24-41-0156	Finaserve, Inc.
18-028-24-41-0157	8350 N. Central Expressway Dallas, TX 75206
18-028-24-41-0183	John Warren Johnson 5101 Irving Av. So. Minneapolis, MN 55419
18-028-24-41-0160	Archie Smith, Jr. 5017 Indinaola Av. Edina, MN 55424
18-028-24-41-0163	Finaserve, Inc. Steven Von Bargaen Minnegasco, Inc. P.O. Box 1165 Minneapolis MN 55440-1165
	Mark Kerssen Paragon Cable 10210 Crosstown Circle Eden Prairie MN 55434-3377
	Stuart E. Fraser NSP Normandale Division 5309 W. 70th Street Edina MN 55435
	Steven Van Anman U.S. West Communications 6244 Cedar Avenue So. Richfield MN 55423
	Mark H. Haymaker Haymaker Construction, Inc. 2201 W. River Rd. N. Minneapolis MN 55411



City of Edina

**CITY OF EDINA
4801 WEST 50TH STREET
EDINA, MINNESOTA 55424**

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ON VACATION OF ALLEY
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BY ORDER OF THE EDINA CITY COUNCIL

Marcella M. Daehn, City Clerk

June 15, 1994

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

PUBLIC RIGHT OF WAY VACATION APPLICATION

Date Initiated 5-3-94

I hereby petition the City Council of the City of Edina to vacate all of the following described public right of way:

____ Street ☒ Alley ____ Utility Easement
____ Drainage Easement ____ Other _____
(describe)

Does the area proposed to be vacated or any part thereof terminate at or abut upon any public water? NO

CTAL

100.00

Legal description of area proposed to be vacated:

See - attachment

Attached copy of scaled drawing showing in full detail the proposed vacation area.

Applicant HAYMAKER CONST. INC.
MARK H. HAYMAKER
(print name)
Signature Mark H. Haymaker
Address 2201 W. RIVER RD N.
MPLS. MN 55411
Telephone (612) 522-2200

Fee: \$100.00

3800
M.S. 412.851

PROPOSED ALLEY VACATION

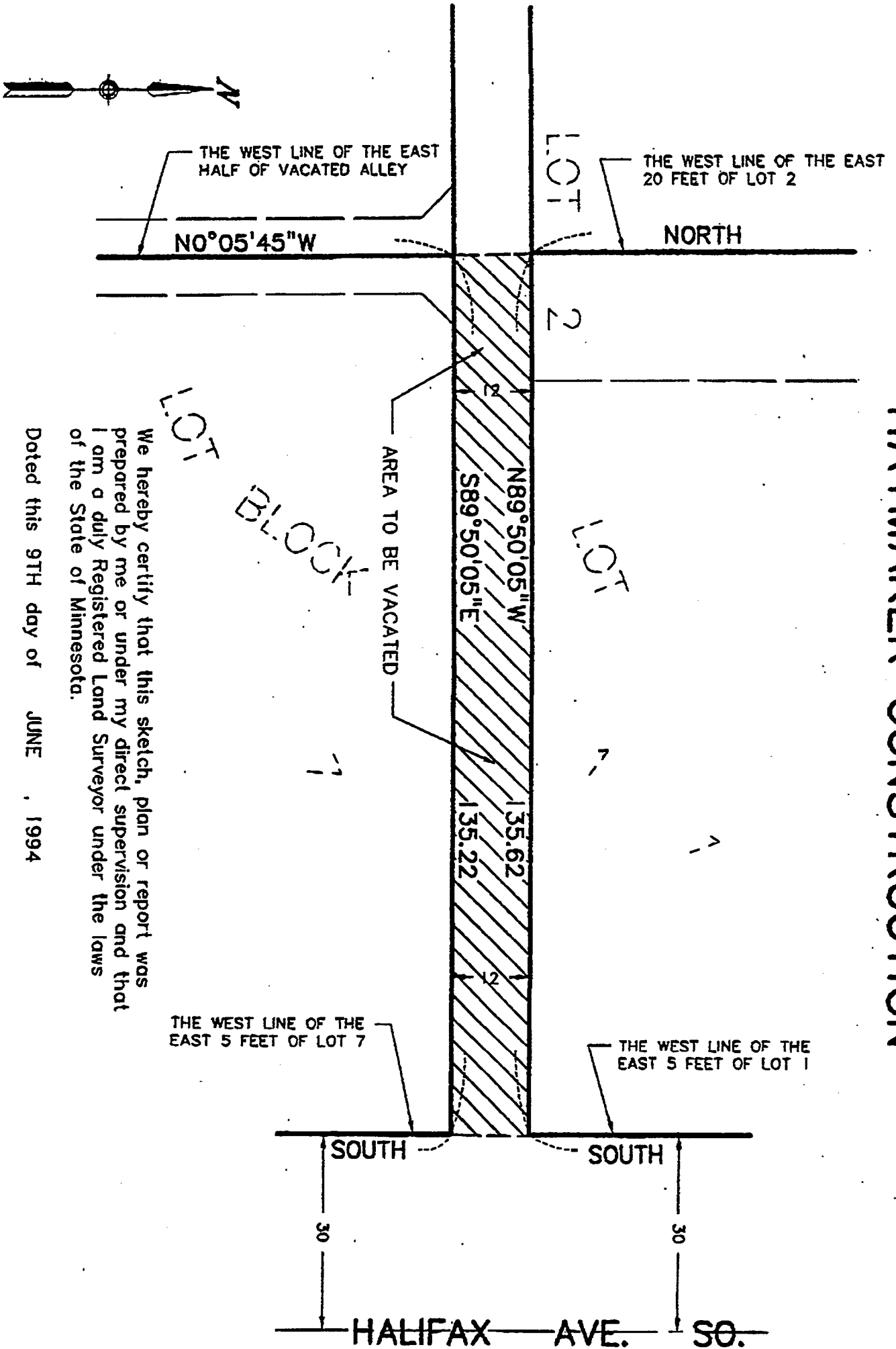
That part of the north half of the Alley dedicated in Block 1, STEVEN'S 1ST ADDITION TO MINNEAPOLIS, according to the recorded plat thereof, Hennepin County, Minnesota, lying easterly of the southerly extension of the west line of the east 20.00 feet of Lot 2, said Block 1 and lying westerly of the southerly extension of the west line of the east 5.00 feet of Lot 1, said Block 1.

And

That part of the south half of said Alley in Block 1 lying easterly of the northerly extension of the west line of the east half of the vacated alley in said Block 1 and lying westerly of the northerly extension of the west line of the east 5.00 feet of Lot 7, said Block 1.

Post-It Fax Note	7671	Date	6-3-94	Page	1
To	Mark Haymaker	From	Scott Soukup		
Co./Dept.	Haymaker Const.	Co./Dept.	Sunde Land Surveying		
Phone #	522-2200	Phone #	881-2455		
Fax #	522-2728	Fax #	888-9526		

ROADWAY VACATION SKETCH FOR: HAYMAKER CONSTRUCTION



We hereby certify that this sketch, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

Dated this 9TH day of JUNE, 1994

SUNDE LAND SURVEYING, INC.

By:

Edward H. Sunde, R.L.S. Minn. Reg. No. 8612

Sunde Land Surveying Inc.

6001 E. Washington, Bloomington, MN 55425

PUBLIC RIGHT OF WAY VACATION APPLICATION

3800
M.S. 412.851

PROPOSED ALLEY VACATION

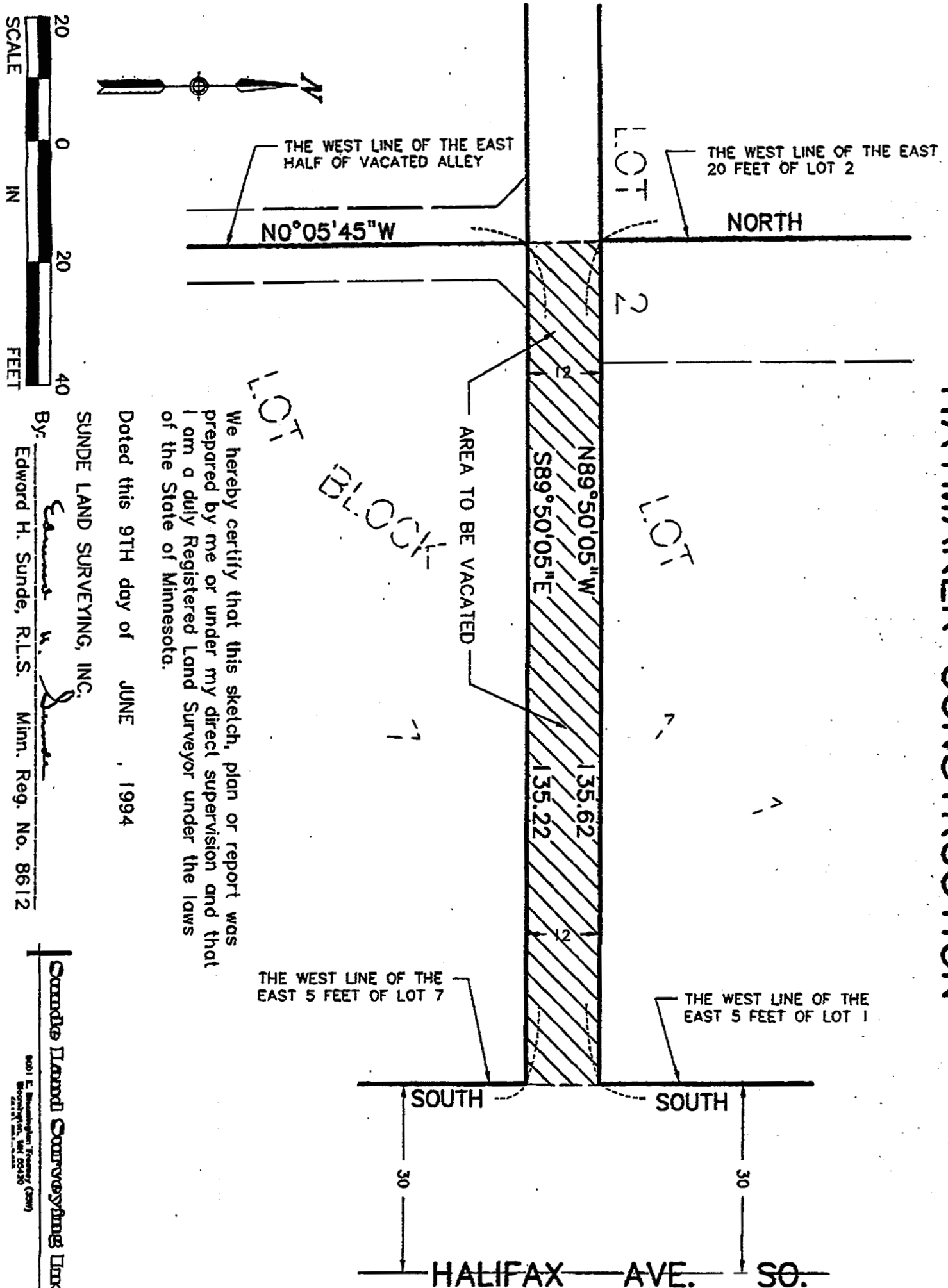
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And

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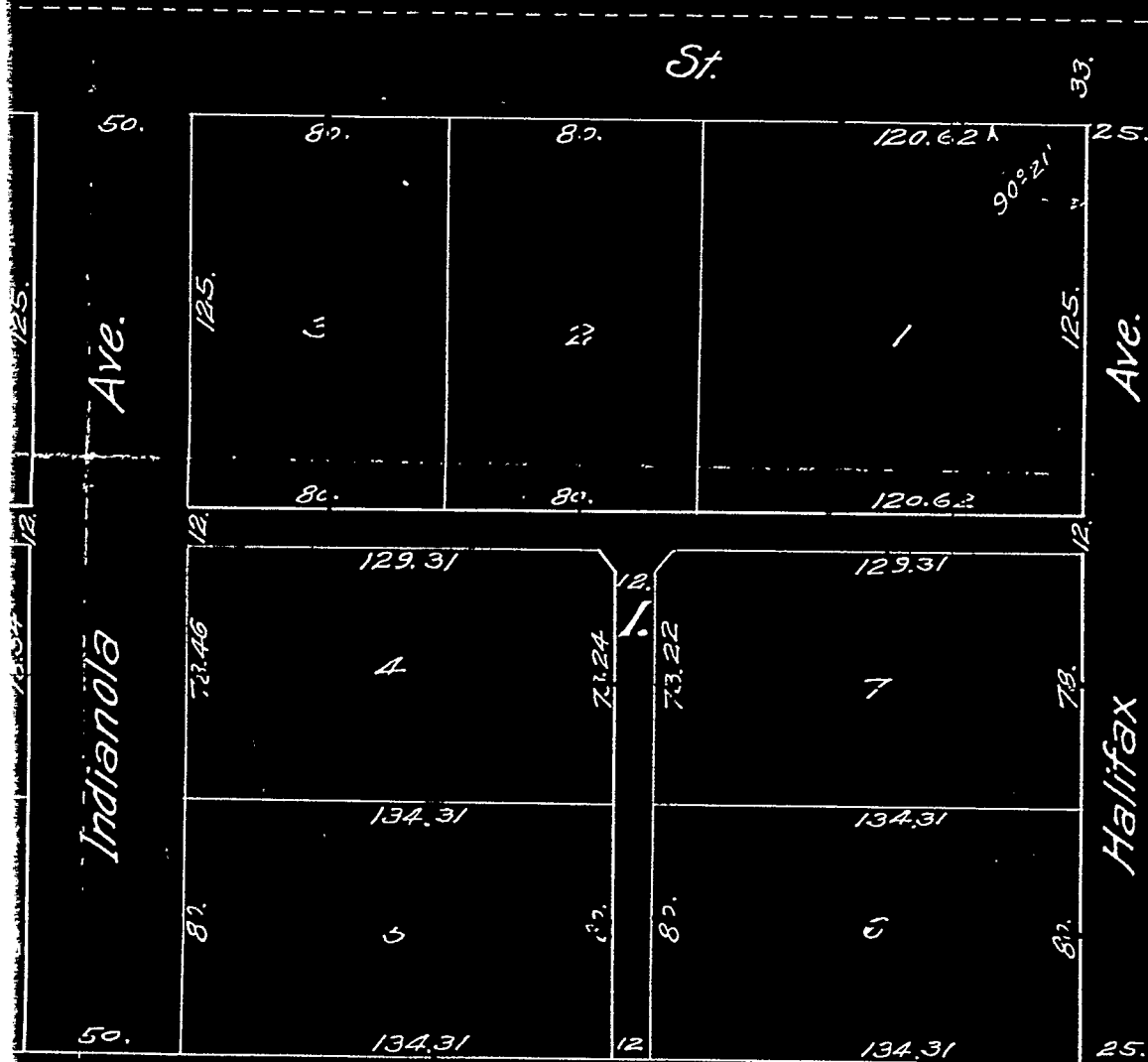
Post-It Fax Note	7671	Date	6-3-94	Page	1
To	Mark Haymaker	From	Scott Soukup		
Co./Dept.	Haymaker Const.	Co.	Sunde Land Surveyors		
Phone #	522-2200	Phone #	881-2455		
Fax #	522-2728	Fax #	888-9526		

ROADWAY VACATION SKETCH FOR: HAYMAKER CONSTRUCTION



1st Addition Minneapolis.

J. E. Egan & Co.
Civil Engineers.
702-3 Oneida Bldg.



NE COR. OF
1/2 OF NW 1/4 OF
NE 1/4 OF SE 1/4
SEC. 18 T. 28. N. R. 24.

Notify owners
of Lot 1, 2, 3
4 + 7
Block 1

Plan - Blue Print - PLAT
J. E. Egan & Co. (No Date)

Stevens 1st Addn. to Mpls. - From Juanita Ave.
to Halifax Avenue south of 50th St.



REPORT/RECOMMENDATION

To: KEN ROSLAND, MANAGER	Agenda Item # <u>VI.B</u>
From: MARCELLA DAEHN, CLERK	Consent <input checked="" type="checkbox"/>
Date: JUNE 3, 1994	Information Only <input type="checkbox"/>
Subject: PETITION TO VACATE ALLEY SOUTH OF WEST 50TH STREET AND WEST OF HALIFAX	Mgr. Recommends <input type="checkbox"/> To HRA <input type="checkbox"/> To Council
	Action <input type="checkbox"/> Motion <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Discussion

Recommendation:

Adoption of a resolution setting July 5, 1994, as hearing date on the petition to vacate the alley south of West 50th Street and West of Halifax Avenue.

Info/Background:

A petition has been filed with the City by Haymaker Construction requesting vacation of the alley south of West 50th Street and West of Halifax Avenue. The requested vacation is an element of the proposed multi-unit development at West 50th Street and Halifax Avenue which was granted preliminary rezoning approval by the Council on May 16, 1994.

Staff would recommend that July 5, 1994, be set as hearing date to consider the petition.

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
MINNEGASCO by <u>Steve VanBuren</u>	<input checked="" type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
NSP by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
PARAGON CABLE by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
U.S. WEST by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional

CONDITIONS: _____

LOCATION: Alley located in Block 1, STEVEN'S 1ST ADDITION TO MINNEAPOLIS
(Generally located south of W. 50th Street and west of
Halifax Avenue)

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

Return to: City Clerk
City of Edina
4801 W. 50th Street
Edina, MN 55424

ROADWAY VACATION SKETCH FOR: HAYMAKER CONSTRUCTION

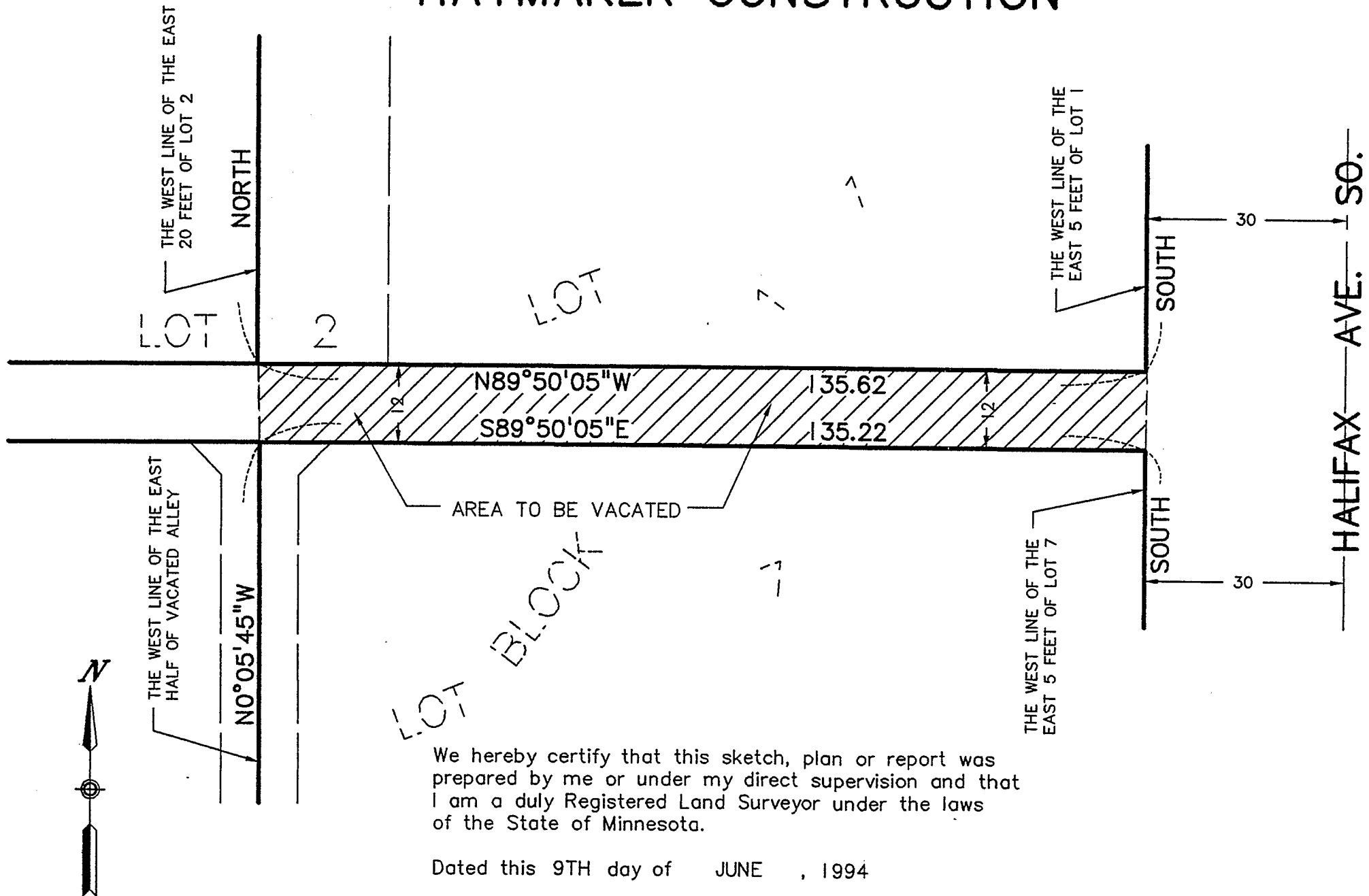


Dated this 9TH day of JUNE, 1994

By: Edward H. Sunde
Edward H. Sunde, R.L.S. Minn. Reg. No. 8612

9001 E. Bloomington Freeway (35W)
Bloomington, MN 55420
(612) 881-2455

ROADWAY VACATION SKETCH FOR: HAYMAKER CONSTRUCTION



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Dated this 9TH day of JUNE, 1994

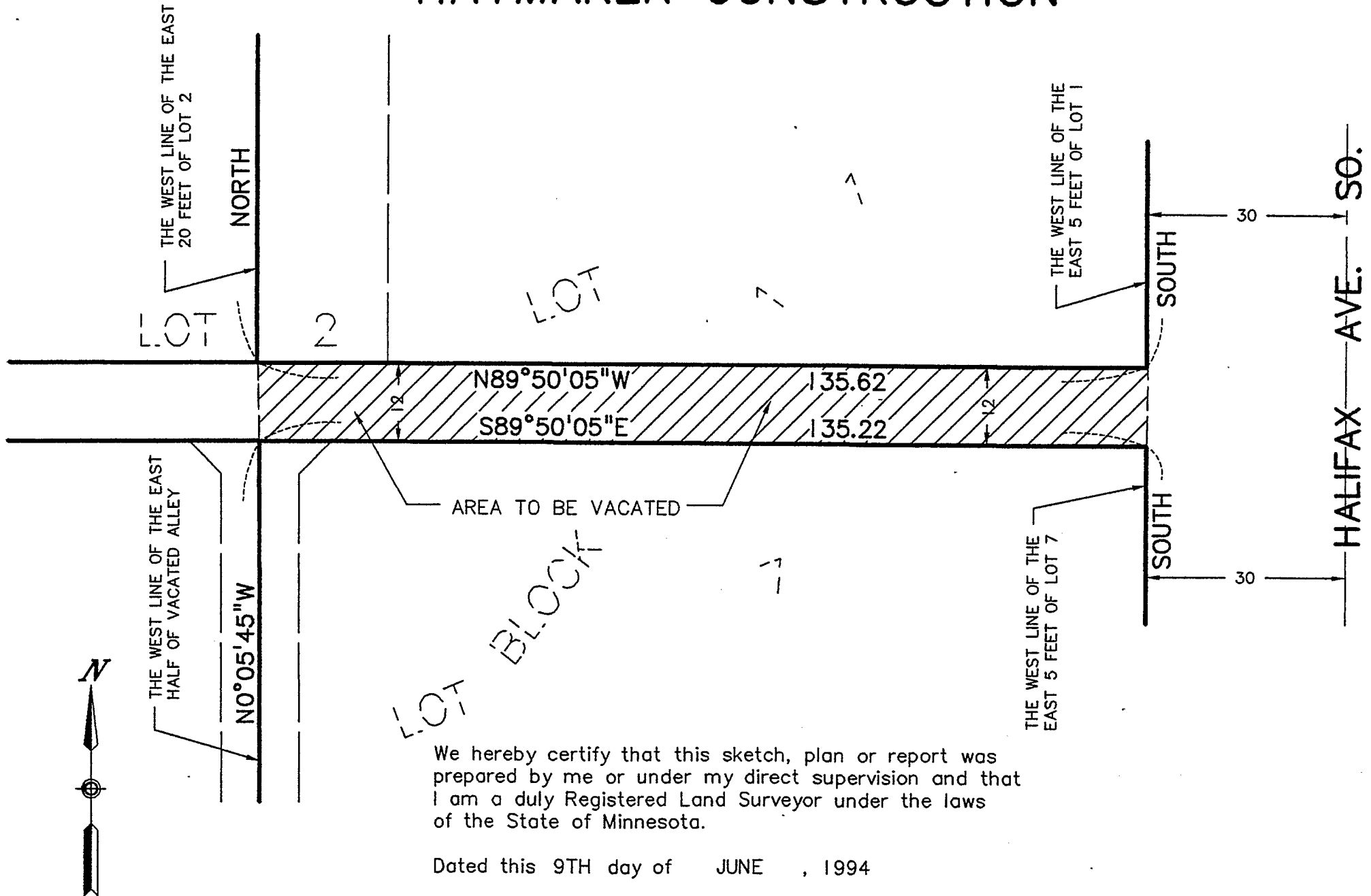
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